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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

Attorney Docket No. 62-659



Re patent application of Muller

Serial No. 09/319,541

Filed: 8/19/99

For: PREPARATION IN FORM OF A MATRIX-AUXILIARY AGENT COMPOUND
CONTAINING OPTIONALLY AN ACTIVE SUBSTANCE

Group Art Unit: 1616

Examiner: Shahnam Sharareh

May 7, 2001

Handwritten notes:
K. Tuck
137
5/11/01

AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated November 22, 2000 and the Notice of non-compliant amendment dated May 2, 2001, please amend the subject application as follows:

IN THE CLAIMS:

Please amend claims 1, 2, 4-8, 13 and 19-24 as follows:

1. (Amended) Formulation in the form of a matrix material-containing compound comprising:
 - an excipient phase comprising at least one excipient;
 - an active substance phase comprising at least one active substance; and
 - ~~a matrix material phase comprising at least one polymer or lipid, wherein~~the formulation is in the form of a freely flowable powder of spray-dried particles in which the matrix material phase is incoherent and the excipient and active substance phases are coherent, and the formulation provides controlled-release properties when directly compressed.
2. (Amended) Formulation in the form of a matrix material-containing compound comprising:
 - an excipient phase comprising at least one excipient;

Handwritten notes:
201
K. Tuck